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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 Victoria Alvarez, et al.,

10 Plaintiffs,

11 v.

12 Security Properties Residential LLC, et al.,

13 Defendants.  
14

No. CV-21-01872-PHX-JAT

**ORDER**

15 Federal courts are courts of limited jurisdiction. As a result, federal courts can hear  
16 only those cases that the Constitution and Congress have authorized them to adjudicate;  
17 namely, cases involving diversity of citizenship, a federal question, or cases to which the  
18 United States is a party. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377  
19 (1994). The party asserting jurisdiction bears the burden of proving jurisdiction. *Id.*  
20 “Inquiring whether the court has jurisdiction is a federal judge’s first duty in every case.”  
21 *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th Cir.  
22 2003).

23 In this case, because Defendants removed this case to federal court, Defendants  
24 must show that the federal court is authorized to hear the case. Defendants allege  
25 jurisdiction based on diversity of citizenship. However, the notice of removal fails to  
26 sufficiently plead diversity jurisdiction. *See* 28 U.S.C. § 1332; *Johnson v. Columbia*  
27 *Properties Anchorage, L.P.*, 437 F.3d 894, 899 (9<sup>th</sup> Cir. 2006) (discussing the citizenship  
28 of a limited liability company). To properly plead diversity jurisdiction, a notice of removal

1 must list the citizenship of every member of any party that is a limited partnership or limited  
2 liability company. *NewGen, LLC v. Safe Cig, LLC*, 840 F.3d 606, 611 (9th Cir. 2016).

3 In this case, the complaint named Security Properties Residential LLC d/b/a Canyon  
4 Creek Village Apartments as a Defendant. The notice of removal indicates that Security  
5 Properties Residential LLC is properly named as a Defendant, but that there is no d/b/a.  
6 Further, the notice of removal indicates that there is a second entity, Canyon Creek  
7 Borrower, LLC, that should be named as a Defendant (presumably in place of the d/b/a).  
8 The notice of removal fails to allege the citizenship of the members of the two limited  
9 liability company Defendants; thus, the Court cannot determine whether diversity  
10 jurisdiction exists in this case.

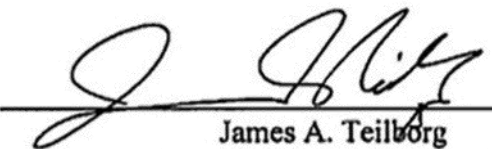
11 Defendants will be required to supplement the notice of removal to properly allege  
12 federal subject matter jurisdiction. If Defendants fail to file the required supplement, or if  
13 any filed supplement fails to plead sufficient facts to establish federal subject matter  
14 jurisdiction, this case will be remanded to state court.

15 Based on the foregoing,

16 **IT IS ORDERED** that Defendants must file the supplement required herein by  
17 November 29, 2021.

18 Dated this 16th day of November, 2021.

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James A. Teilborg  
Senior United States District Judge